



1 Pursuant to the Court's order at the pretrial conference on February 19, 2020, the parties hereby  
2 submit the attached Joint Proposed Statement of the Case to be read to the jury venire prior to jury  
3 selection.

4  
5 DATED: March 3, 2020

Respectfully submitted,

6 DAVID L. ANDERSON  
7 United States Attorney

8 /s/  
MICHELLE J. KANE  
9 KATHERINE L. WAWRZYNIAK  
10 Assistant United States Attorneys

11 /s/  
12 ADAM G. GASNER  
13 VALERY NECHAY  
14 Attorneys for Nikulin

**JOINT PROPOSED STATEMENT OF THE CASE FOR THE JURY VENIRE**

This is a criminal case brought by the United States government against Yevgeniy Nikulin.

The indictment against Mr. Nikulin includes nine separate charges, which I will describe to you in a moment. The indictment and the charges against Mr. Nikulin are not evidence, and Mr. Nikulin is presumed to be innocent, as I will separately instruct you. My purpose here is simply to provide a description of the charges to help in jury selection.

In 2012, three companies headquartered in the Bay Area—LinkedIn, Dropbox, and Formspring—were hacked, meaning that an unauthorized person accessed company computers and stole user credentials, including names, email addresses, and passwords. The United States alleges that Mr. Nikulin is the person responsible for these three hacks.

Counts One through Three are related to the LinkedIn intrusion. In Count One, the United States charges that Mr. Nikulin intentionally accessed LinkedIn computers and stole LinkedIn user credentials. In Count Two, the United States charges that Mr. Nikulin knowingly caused the transmission of information, code or a command causing damage to a computer belonging to a LinkedIn employee. In Count Three, the United States charges that Mr. Nikulin unlawfully used the user name and password of a LinkedIn employee in order to conduct the intrusion.

Count Four is related to the Dropbox intrusion. The United States charges that Mr. Nikulin intentionally accessed Dropbox computers and stole Dropbox user credentials.

Counts Five through Nine relate to the Formspring intrusion. In Count Five, the United States charges that Mr. Nikulin conspired with others to sell stolen Formspring user credentials. In Count Six, the United States charges that Mr. Nikulin actually did sell the Formspring user credentials for \$1,000 or more. In Count Seven, the United States charges that Mr. Nikulin intentionally accessed Formspring computers and stole Formspring user credentials. In Count Eight, the United States charges that Mr. Nikulin knowingly caused the transmission of information, code or a command causing damage to a computer belonging to Formspring. In Count Nine, the United States charges that Mr. Nikulin unlawfully used the user name and password of a Formspring employee in order to conduct the Formspring intrusion.

Mr. Nikulin denies all of the charges brought by the United States.